

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFFREY G. AYRES,

Defendant.

8:01CR302

ORDER

Defendant Jeffrey G. Ayres (Ayres) appeared before the court on June 19, 2007, on the Petition for Warrant or Summons for Offender Under Supervision (Report) (Filing No. 52). Ayres was represented by Assistant Federal Public Defender Jennifer L. Gilg and the United States was represented by Assistant U.S. Attorney Robert C. Sigler. Through his counsel, Ayres waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that Ayres should be held to answer for a final dispositional hearing before Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Ayres made a proffer that he would abide by conditions of release and requested release. Ayres declined to present any further evidence on the issue of detention and otherwise waived a detention hearing. Since it is Ayres's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Ayres has failed to carry his burden and that Ayres should be detained pending a dispositional hearing before Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:00 a.m. on July 2, 2007.** Defendant must be present in person.

2. Defendant Jeffrey G. Ayres is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 19th day of June, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge